

DIN 4001

(Attachment 1)

WEC Staff Responsibilities and Tasks

Every task and initiative of the Wisconsin Elections Commission (WEC) is ultimately intended to serve and assist Wisconsin voters, local election officials, candidates and elected officials. Accomplishing this mission depends on regular communications with many partners including the Legislature, Governor's Office, other state and federal agencies, law enforcement, municipal and county clerks and legal counsel, and organizations representing local officials as well as political parties and other advocacy groups. The Commission is specifically required under federal and state laws to complete certain tasks, including developing and maintaining the statewide electronic voter registration system, training and assisting local election officials, providing voter education and outreach, approving electronic voting systems, ensuring accessibility of polling places, and certifying candidates for ballot access as well as election results. The WEC is also responsible for collecting and reporting voter and election data as well as providing periodic reports of its efforts to the Legislature and federal agencies.

The WEC is composed of 31.75 full time employees, including agency management, Elections Specialists focusing on elections administration and the statewide voter registration system, trainers, legal counsel, public information officer, and IT and administrative support. Twenty-two (22) of the positions are federally funded and those federal funds are expected to be expended by the end of FY-18. Of the remaining 9.75 GPR positions, only 4 involve elections program responsibilities. Replacing the federal HAVA funds is the most significant challenge to the continued successful administration of elections in Wisconsin.

The mission of the WEC cannot be understood without a familiarity with the jobs of local election officials and the State's elections administration structure. The overriding and unique characteristic of election administration in Wisconsin is its degree of decentralization. Unlike almost every other state, elections in Wisconsin are conducted at the local level in 1,854 municipalities by their clerks. Approximately two-thirds of municipal clerks serve in a part-time capacity and many have other primary employment, and there is turnover in about one-quarter of municipal clerk positions annually. Conducting elections is only one aspect of their jobs, and in some cases they are often limited in the time available for election administration either by other priorities or by the time authorized by local governing bodies.

Municipal clerks are responsible for numerous election tasks, including training and supervising election inspectors and other local election officials; serving as the local filing officer to review nomination papers and other election petitions and make ballot access decisions; conducting voter registration; purchasing, testing and operating voting equipment; preparing election notices and ballots for local offices and referenda; collecting unofficial election night results and transmitting them to the county clerk; leading the municipal canvass of official results and conducting any recount of local elections; assisting in recounts of state and federal elections; and working in the statewide voter registration system known as WisVote to enter voter and election data, perform data quality tasks, and produce poll lists. In the City of Milwaukee the duties of the municipal clerk are performed by the City of Milwaukee Election Commission.

Elections have been conducted at the municipal level in Wisconsin since statehood. Almost all other states conduct elections at the county level. The level of decentralization is a strength of the election administration system because local clerks and election inspectors have the greatest familiarity with their voters and candidates and election data. But it also creates challenges in ensuring that the increasingly complex processes and legislative directives are implemented consistently throughout the state as they relate to each voter and candidate. Given the workload and turnover of municipal clerks, as long as elections continue to be conducted at the local level, it will be critically necessary that the state election agency provides ongoing professional training and support related to both the administration of elections and working in the statewide voter registration system, in addition to its other state-level responsibilities.

Wisconsin's 72 county clerks assist municipal clerks in many election duties and also perform their own election tasks. County clerks serve as the filing officer for county candidates; prepare county election notices and coordinate the preparation and printing of ballots; collect and post unofficial election night results; lead the county canvass of official results and any recounts of county results for county, state, and federal contests; and perform county WisVote tasks. Many county clerks also act as providers to perform the WisVote duties of their municipal clerks; assist in training municipal clerks and election inspectors; and coordinate the purchase of voting equipment for municipalities in the county. In Milwaukee County, the duties of the county clerk are performed by the Milwaukee County Election Commission, headed by the Milwaukee County Clerk.

While Wisconsin elections are conducted at the local level, clerks of municipalities, counties, school districts, and other special districts cannot properly do their jobs without the support and resources provided by the WEC and its staff. The characteristics of election administration in Wisconsin dictate that WEC staff provides constant and effective communication, training and support to local election officials to ensure that they properly conduct voter registration and elections, correctly and consistently implement frequent legislative changes, and maintain unbiased access to election processes for candidates and voters. In addition, the technical expertise and processes of WEC staff directly benefits candidates, voters, election inspectors, election observers, policymakers, the media, and other organizations (including nursing homes and adult-care facilities where voting takes place). Many moving parts need to be managed, coordinated, and monitored, and may impact the individual voting experience, either positively or negatively.

The work of the Elections Commission is dictated by the four-year election cycle, consisting of two regular elections every spring and two additional regular elections in the summer and fall of each even-numbered year, culminating in the Presidential and General Election. The two-year legislative session also has a significant effect on the work and initiatives of the WEC, due to staff's participation in the development of new legislation and providing feedback and testimony to the Legislature, as well as implementing election-related legislation and providing tools and guidance to local election officials regarding new legislation.

In short, the WEC is a small agency charged with tremendous responsibilities and its staff routinely excels in its administrative duties, often under severe timelines and a shifting legal framework affected by new laws and court decisions. Increased use of technology has also made election administration more efficient and accurate, but also more complicated at the state and local levels. For example, in the last year alone, the staff, working first for the Government Accountability Board and then for the WEC, has worked on at least four major projects in addition to its normal election administration duties. It completed the redevelopment and launch of an updated voter registration system, a major State IT project which was completed on time and under budget. It also redeveloped and relaunched its successful MyVote Wisconsin website to assist electors in their voter registration and voting steps. Pursuant to recent legislation, the staff is also in the midst of implementing the Electronic Registration Information Center (ERIC) initiative in a short period of time within the agency's existing budget, despite the fiscal estimate for the legislation indicating that the agency could not undertake the initiative without additional funding. Finally, staff is working in conjunction with the Department of Transportation to develop and implement a new online voter registration system, which is scheduled to be launched in early 2017. In 2017 the WEC also intends to focus on the development and introduction of electronic poll books for Wisconsin elections.

In contrast, prior to the enactment of HAVA and numerous other federal and state legislative actions, the activities of the State Elections Board, while significant, were less complex, intensive, and precise. Prior to 2006, there was no statewide voter registration system and individuals were required to register to vote only if they resided in a community with a population of 5,000 or greater. Without the statewide voter registration system, there was significantly less

need for IT development, infrastructure, monitoring, and expertise. There was also, of course, no need to complete all of the tasks related to the voter registration system, such as training, clerk support, data quality, coordination of tasks in the system with local clerks, and compiling statistics from the system for required reports to the federal government.

Compared to ten years ago, when many voters simply walked into the polling place and announced their name before voting, individual voter data undergoes much closer scrutiny through various screening and matching processes, to ensure that individuals are not disqualified due to a felony sentence, court finding of incompetency, change of residence, or death. There was also no requirement for the state agency to deliver a mailing after every General Election to individuals who had not voted in the last four years based on participation records tracked in the voter registration system.

While the State Elections Board reviewed nomination papers, certified candidate eligibility as well as election results, and approved voting equipment, prior to HAVA and other legislation its staff did not prepare and present the extensive voter education and outreach which is now required. Less frequent legislative changes demanded less continuous updating of content for manuals, which have grown exponentially in response to legislative changes, and less need for detailed guidance related to every step of the voter registration and election process. Voting equipment post-election audits were not required or conducted, and there were no programs to audit the accessibility of polling places or a formal system to process and resolve complaints against local election officials. There was also no requirement to provide ballots to military and overseas electors electronically prior to federal legislation in 2009, which led to the development of the MyVote Wisconsin website. Finally, the last decade has required much more frequent interaction with the Legislature regarding legislative proposals and implementation, as well as involvement in and attention to almost constant election-related litigation.

Many current responsibilities and tasks of the WEC simply did not exist prior to the enactment of HAVA as well as subsequent legislation. The creation of federally funded positions at the state elections agency has made the ongoing implementation of such legislation possible, and those responsibilities will continue beyond the expiration of the federal HAVA funds.